



DEPLREF

00862.002851

PATENT MAINTENANCE
DIVISION
PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE 2006 MAR -8 PM 4:09

In re Application of:)
TATSUYA YAGUCHI) Examiner: C. Odom
Application No.: 09/323,020) Art Unit: 2634
Filed: June 1, 1999)
U.S. Patent No. 6,980,584)
Issued Date: December 27, 2005)
For: RECEPTION APPARATUS) March 6, 2006

US PATENT & TRADEMARK
OFFICE

Commissioner for Patents
Post Office Box 1450
Alexandria, VA 22313-1450

REQUEST FOR REFUND

Sir:

In connection with the above-identified application, Applicants request a refund of \$1,715.00 for the issue fee (\$1400), publication fee (\$300) and three copies of the patent (\$15), which were erroneously charged to our Deposit Account 06-1205. It is requested that the refund be applied as a credit to that Deposit Account. The reason for the refund is explained below.

On August 24, 2005, Applicant filed a PTOL-85 indicating that the issue fee was previously paid on March 28, 2005. A copy of the PTO-85 is attached. No additional fees were due at that time. Also attached is a copy of a decision on Petition dated July 19, 2005 which granted Applicant's petition to withdraw the application from issue after the issue fee has previously been paid on July 1, 2005. The decision advised that the issue fee

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paid cannot be refunded, but would be applied toward the issue fee required by the new Notice of Allowance.

The Patent Office's Monthly Statement of Deposit Account, dated October 31, 2005 (copy attached), indicates that Deposit Account No. 06-1205 was charged the fee of \$1,400.00 for the issue fee, \$300.00 for the publication fee, and \$15.00 for copies of the patent. Applicant respectfully submits that a refund of \$1,715.00 is due.

Accordingly, Applicant hereby requests a refund and authorizes the Commissioner to credit Deposit Account No. 06-1205 in the amount of \$1,715.00, to resolve this matter.

Applicant's undersigned attorney may be reached in our Costa Mesa, California office by telephone at (714) 540-8700. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,



Edward A. Kmett
Attorney for Applicant
Registration No. 42,746

FITZPATRICK, CELLA, HARPER & SCINTO
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NY MAIN 541677v1



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30 ROCKEFELLER PLAZA
NEW YORK, NY 10112

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OFFICE OF PETITIONS

ON PETITION

In re Application of
Tatsuya Yaguchi
Application No. 09/323,020
Filed: June 1, 1999
Attorney Docket No. 862.2851

00812, 002851.
EAK
Awaiting new O/A

This is a decision on the petition, filed July 11, 2005, under 37 CFR 1.313(c)(2) to withdraw the above-identified application from issue after payment of the issue fee.

The petition is **GRANTED**.

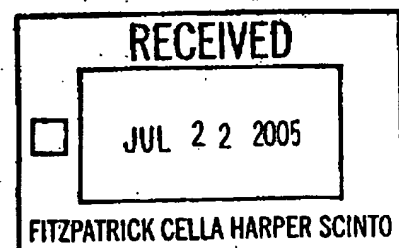
The above-identified application is withdrawn from issue for consideration of a submission under 37 CFR 1.114 (request for continued examination). See 37 CFR 1.313(c)(2).

Petitioner is advised that the issue fee paid on July 5, 2005, in the above-identified application cannot be refunded. If, however, the above-identified application is again allowed, petitioner may request that it be applied towards the issue fee required by the new Notice of Allowance.¹

Telephone inquiries relating to this decision should be directed to the undersigned at (571) 272-3204.

The application is being referred to Technology Center AU 2634 for further processing of the request for continued examination under 37 CFR 1.114.

Sherry D. Brinkley
Sherry D. Brinkley
Petitions Examiner
Office of Petitions



¹The request to apply the issue fee to the new Notice may be satisfied by completing and returning the new Issue Fee Transmittal Form PTOL-85(b), which includes the following language thereon: "Commissioner for Patents is requested to apply the Issue Fee and Publication Fee (if any) or re-apply any previously paid issue fee to the application identified above." Petitioner is advised that, whether a fee is indicated as being due or not, the Issue Fee Transmittal Form must be completed and timely submitted to avoid abandonment. Note the language in bold text on the first page of the Notice of Allowance and Fee(s) Due (PTOL-85).



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To replenish your deposit account, detach and return top portion with your check. Make check payable to Director of Patents & Trademarks.

FITZPATRICK CELLA HARPER & SCINTO
30 ROCKEFELLER PLAZA
NEW YORK NY 10112-3801

FINA

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Account No.	061205
Date	10-31-05
Page	5

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DATE POSTED			CONTROL NO.	DESCRIPTION (Serial, Patent, TM, Order)	DOCKET NO.	FEE CODE	CHARGES/ CREDITS	BALANCE
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